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Attorney Docket No.: 23239-558A UTIL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Epstein, *et al.*
SERIAL NUMBER: 10/829,504 EXAMINER : Richard A. Schnizer
FILING DATE: April 21, 2004 ART UNIT : 1635
FOR: STABILIZED APTAMERS TO PLATELET DERIVED GROWTH
FACTOR AND THEIR USE AS ONCOLOGY THERAPEUTICS

Via EFS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311. Each reference contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement. Accordingly, the fee set forth in 37 C.F.R. § 1.17(p) is not believed to be required.

Additionally, References B18-B19 and C167-C169 contained in this Supplemental Information Disclosure Statement were first cited in an Extended European Search Report received on July 27, 2009 for corresponding European Application No. 05824135.7. As such, References B18-B19 and C167-C169 were not received by Applicants or any individual designated in 1.56(c) more than thirty days prior to filing of this Supplemental Information Disclosure Statement.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the

present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.: 23239-558A UTIL.

Respectfully submitted,

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